



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



June 2, 2005

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**SUBJECT: AFFORDABLE HOUSING DENSITY BONUSES
INTERIM GUIDELINES**

In March, we provided you with a copy of the State density bonus law (Section 65915 et seq. of the CA Government Code, as amended by the passage last year of SB 1818), which includes significant changes that became effective on January 1, 2005. This memo provides guidelines regarding affordable housing density bonuses and incentives/concessions that should be implemented immediately and in conjunction with the attached special instructions and supplemental application forms. The guidelines and attached materials were developed to assist you in implementing the provisions of the State density bonus law, as well as the applicable provisions of Section 22.56.202 (Density Bonuses) of the Los Angeles County Zoning Code that were not superseded or modified by the provisions of SB 1818.

On January 26, 2005, the Regional Planning Commission instructed the staff to commence the preparation of an ordinance amending the appropriate sections of the County Code in a manner that is consistent with the changes to the State density bonus law. We have worked with County Counsel to develop these interim guidelines and special instructions, which will guide you in implementing the changes to the State law while the ordinance amendment is being prepared. We have also developed two affordable housing density bonus supplemental application forms that should be provided to applicants—"Form A: Affordable Housing Set-Asides" and "Form B: Land Donations," along with instructions regarding their use.

The following guidelines and procedures should be implemented, effective immediately, to ensure conformance with the State density bonus law:

Non-discretionary review: A significant change to note is that a **conditional use permit (CUP) is no longer required to obtain density bonuses for qualifying affordable housing developments (including senior housing, child care facilities, and land donations), or for incentives/concessions necessary for affordable housing development.** The State law is clear that the granting of a density bonus, or incentive/concession, shall not be interpreted, *in and of itself*, to require a general plan amendment, local coastal plan amendment, zoning change, CUP, or other discretionary approval. Therefore, during the interim, in such cases a site plan review is the appropriate administrative review procedure.

Concurrent case processing: If the affordable housing development also requires a discretionary review (i.e., coastal permit, tentative subdivision map, parcel map, zone change, CUP to allow residential uses on commercially zoned areas or within a development program zone), the requested density bonuses and incentives/concessions should be processed through an administrative site plan review that is considered concurrently with those applications, and the density bonus should be applied to the density allowed by the zoning proposed at the time of application. The supplemental application forms are to be used in conjunction with the application for a site plan review in order to consider the density bonuses and incentives/concessions through a non-discretionary review.

Incentives/concessions: The State law defines incentives/concessions broadly, and can include anything from a set-back reduction to a density bonus over 35%. We advise you to be generous in your interpretation of these provisions and to group incentives/concessions, where appropriate (such as parking design and quantity standards which together should count as one incentive/concession, as these requirements are covered under the same part of the Zoning Code), in order to maximize the incentives/concessions for affordable housing development. In denying requests for density bonuses, incentives/concessions, and waiver of development standards, the applicant has the presumption of validity, and the County has the burden of proof to justify the denial by making written findings, based on substantial evidence.

Expedited case processing: It is the Department's practice to provide expeditious case processing for affordable housing development applications. Affordable housing development cases should be red-flagged or provided with special identification to ensure that they are expedited. The expeditious processing of the case should not be counted as one the applicant's specific incentives/concessions.

Fee waivers: It is also the Department's practice to accept qualified affordable housing development applications at the public counter without the required fee upon receipt of either a letter from the Community Development Commission (CDC) requesting a fee exemption (per the agreement between the CDC and DRP for

actual cost recovery), or by evidence of a Board-approved fee-waiver for the affordable housing development. Fee exemptions and fee waivers should not be counted as one of the applicant's specific incentives/concessions.

Parking reduction: The parking requirements for affordable housing developments shall not exceed the maximum residential parking requirements specified in CA Government Code Section 65915(p)(1), or in Part 11 of Chapter 22.52 of the County Code—whichever is lesser of the two. The application of these parking standards should not be counted as one of the applicant's specific incentives/concessions.

Environmental review:

Initial Study: Applicants requesting a density bonus and incentives/concessions for affordable housing should provide a completed Initial Study questionnaire, in addition to the site plan review application and the appropriate affordable housing density bonus supplemental application forms. There are potential development sites within the unincorporated area that may be environmentally unsuitable for housing at increased densities and there are circumstances in which CEQA review is necessary to determine the site's suitability for more intensive development and to consider potential mitigation measures for the reasonably foreseeable environmental impacts that may result from the proposed development. Recent DRP planning efforts have focused on areas that are known to be environmentally constrained, such as the Santa Monica Mountains North Area and the adjacent Coastal Area, where sites proposed for future development consistently demonstrate physical constraints, including concerns regarding high fire hazard severity, water availability, limited access, infrastructure availability, geologic/geotechnical concerns, highly sloping terrain, and biological/ecological resources. In addition, these sites may be within one or more of our special management areas, such as hillside management areas, significant ecological areas (SEAs), and environmentally sensitive habitat areas (ESHAs), which limit their environmental suitability for intensive development.

Categorical and statutory exemptions for affordable housing: Affordable housing developments may qualify for either statutory exemptions or categorical exemptions from the California Environmental Quality Act (CEQA). Qualified housing projects (including affordable housing, infill housing, and farm worker housing) are exempt from CEQA, pursuant to Sections 21159.21, 21159.22, 21159.23, and 21159.24 of the CA Public Resources Code (PRC). Additional information on affordable housing CEQA exemptions is provided in the State CEQA Guidelines, Chapter 3, Title 14, CA Code of Regulations (CCR), at Sections 15279-15280 (Regarding Statutory Exemptions for Farm Worker Housing and Affordable Housing) of, and in Section 15332 (Class 32 Categorical Exemptions for Infill

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Development Projects). Please consult these sections of the PRC and CCR when evaluating applications for potential CEQA exemptions.

These interim guidelines are in effect until such time that an amendment to the Zoning Ordinance regarding affordable housing density bonuses is adopted by the Board of Supervisors and becomes effective.

Should you have any questions, please contact me or Connie Chung at (213) 974-6425 or cchung@planning.co.la.ca.us.

JTM:cc

cc: Ron Hoffman, Frank Meneses, John Calas, Ted Elias

Attachments:

1. Special Instructions for Affordable Housing Density Bonuses
2. Affordable Housing Density Bonus Application Supplement—Form A: Affordable Housing Set-Asides
3. Affordable Housing Density Bonus Application Supplement— Form B: Land Donations

Department of Regional Planning, County of Los Angeles

SPECIAL INSTRUCTIONS FOR AFFORDABLE HOUSING DENSITY BONUSES

APPLICATION FILING MATERIALS NEEDED:

1. Standard Application (One or more of the following: Plot Plan Review, Zone Change, Tract Map, Parcel Map, Conditional Use Permit, Coastal Permit)
2. Affordable Housing Density Bonus Supplemental Application Form (**Form A: Affordable Housing Set-Asides** or **Form B: Land Donations**)
3. Financial information, preferably an electronic copy of the real estate development pro-forma (MS Excel file)
4. Initial Study form
5. Fees, as appropriate

PERMITTED ZONES

R-1, R-2, R-3, R-4, R-A, RPD*, A-1, A-2, C-1*, C-2*, C-3*, C-M*, C-R*, CPD*

*Residential uses authorized through a conditional use permit.

CRITERIA

Density Bonus: A proposed housing development and residential mixed use development qualifies for a density bonus if the following criteria are met:

- If the applicant requests a density bonus. **Gov. Code 65915 (a) & (b)**
- If the proposed housing development is 5 or more units. **Gov. Code 65915 (g)(1)(2)**
- If the housing development has the minimum set-aside for the following categories:
Gov. Code 65915 (b)(1)(2)(3)(4), (g) (1)(2) & (h)

	Housing Set-Aside	Density Bonus
Very Low	At least 5%	At least 20%, up to 35%
Lower	At least 10%	At least 20%, up to 35%
Moderate (condominium or planned development)	At least 10%	At least 5%, up to 35%
Land Donation (Very Low)	At least 10%	At least 15%, up to 35%
Senior Housing Development	Per CA Civil Code 51.12 & 51.3	20%

* An applicant can opt for a lower density bonus. **Gov. Code 65915 (g)(1)**

Incentives and Concessions: When an applicant seeks an affordable housing density bonus, the County must grant incentives or concessions for the production of housing and child care facilities. **Gov. Code 65915 (d)(1)**

- Depending on the percentage of housing set-asides and the level of income served, applicants may be entitled to 1-3 incentives/concessions. **Gov. Code 65915 (d)(2)(A)(B)(C)**
- Incentives/concessions include, **but are not limited to**, the following: **LA County Code 22.56.202 and Gov. Code 65915 (l)(1)(2)(3) & (p)(1)(3)**

Modification of development standards such as, but not limited to, a reduction in setbacks, height limits, lot coverage.

A vehicular parking reduction below the following ratio (inclusive of disabled and guest parking):
0-1 bed: 1 onsite parking space
2-3 bed: 2 onsite parking spaces
4 or more bed: 2.5 parking spaces

Approval of a mixed use development, in accordance with Part 11 of Chapter 22.40, in conjunction with the development if the commercial, office, industrial, or other proposed land uses will reduce the cost of the housing and if the findings specified by Section 22.56.090 are met.

An additional density bonus.

- Requests for incentives/concessions can be denied for the following reasons:

The requested incentive/concession is not required in order to provide for affordable housing costs or for rents for the targeted units.
Gov. Code 65915 (d)(1)(A)

The requested incentive/concession has a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households. **Gov. Code 65915 (d)(1)(B)**

Waiver/Modification of Development Standards: An applicant can request a waiver or modification of development standards, provided he/she can show that the waivers or modifications are necessary in order to make the provision of affordable units economically feasible.

Requests for the waiver or modification of development standards can be denied for the same reasons as incentives/concessions. Please see above for details. **Gov. Code 65915 (e) & (f)**

Land Donations: An applicant for a tentative subdivision map, parcel map or residential development approval is entitled to a density bonus for a land donation. Land donations must be able to accommodate at least 10% of the units of the proposed housing development, for very low income households. The land donation can be combined with the inclusion of affordable housing set-asides, as long as the combined density bonus does not exceed 35%. **Gov. Code 65915 (h)**

Child Care Facilities: If the project includes a child care facility, the applicant is entitled to an additional density bonus in the amount equivalent to or more than the square footage of the child care facility OR an additional incentive or concession that contributes to the economic feasibility of the construction of the child care facility. The additional density bonus or concession/incentive will only be granted if there is a need for a child care facility in the community. **Gov. Code 65915 (i)(1)(A)(B)**

Parking: Upon the request of the applicant, if a project qualifies for a density bonus and incentives and concessions, a vehicular parking ratio, inclusive of disabled and guest parking, shall not exceed the following:

0-1 bed: 1 onsite parking space
2-3 bed: 2 onsite parking spaces
4 or more bed: 2.5 parking spaces

A development may provide onsite parking through tandem parking or uncovered parking, but not through onstreet parking. **Gov. Code 65915 (p)(1)(2)**

CALCULATIONS

All density calculations resulting in fractional units shall be **rounded up to the next whole number**. This shall include density bonus, affordable housing set-aside and parking calculations. Refer to the attached Tables A, B, C and D for corresponding affordable housing set-asides, density bonuses and incentives/concessions. **Gov. Code 65915 (g)(1)(2),(h),(p)(2)**

Example 1: An applicant requests a density bonus.

Zoning: R-3

Maximum allowable density: 30 du/ net acre Site area: 3 net acres
Total units proposed (not including density bonus): [30 X 3 net acres] 90 units

Applicant chooses 11% housing set-aside for lower income households, or [11% X 90 units=9.9] 10 units.
Density Bonus (refer to density bonus tables): 21.5%, or [21.5% X 90 units=19.35] 20 units.

Total units: [90 units + 20 density bonus units] 110 units Total affordable units: 10 out of 110

Example 2: An applicant seeks an affordable housing density bonus and a lot consolidation density bonus in a Green Line Transit-Oriented District.

Zoning: R-2

Maximum allowable density: 17 du/ net acre Site area: 3 net acres
Total units proposed (not including density bonus): [17 X 3 net acres] 51 units

For the affordable housing density bonus, the applicant sets aside 9% of the units for very low income households, or [90X9%=8.1] 9 units.
Density Bonus (refer to density bonus tables): 30%, or [30% X 51 units=15.3] 16 units

For the lot consolidation density bonus, the applicant consolidates lots with a combined total of 15,000 sq. ft. Pursuant to Section 22.44.450 of the LA County Code, the applicant is entitled to a 10% density bonus: [10% X 51 units=5.1] 6 units

Total units: [51 units + 16 affordable housing density bonus units + 6 lot consolidation density bonus units] 73 units
Total affordable units: 16 out of 73 units

PROCEDURAL GUIDELINES

- ☐ The applicant may request a meeting with staff to discuss options for incentives/concessions and/or the waiver or modification of development standards. **Gov. Code 65915 (d)(1) & (e)**
- ☐ Applicant submits application(s) to DRP with the appropriate fees.
- ☐ Staff checks application(s):
 - Verifies calculations for density bonuses, housing set-asides and number of entitled incentives/concessions.

- If applicable, checks the square footage calculation for the child care facility.
- If applicable, checks to see that the land donation meets all specified conditions.

☐ Staff reviews application(s):

- Evaluates requested incentives/concessions based on financial feasibility and any specific impact upon the public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate income households. In addition, if applicable, staff evaluates whether or not the additional incentive/concession for a child care facility significantly contributes to the economic feasibility of the construction of the child care facility. **Gov. Code 65915 (d)(1)(A)(B) & (i)(3)**
- Evaluates requested waiver/modification of development standards, using the information provided by the applicant, based on financial feasibility and any specific impact upon the public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate income households. **Gov. Code 65915 (e) & (f)**
- If applicable, evaluates a need in the community for a child care facility. **Gov. Code 65915 (i)(3)**

☐ Staff action: the applicant is notified.

If **approved**, the applicant must sign a covenant and agreement with the Department of Regional Planning that states that the DRP, or its designee, will monitor the specified affordability of units set aside for affordable housing, and if applicable, the period of operation and dedicated use of the child care facility. **Gov. Code 65915 (c)(1)(2) & (i)(2)(A)(B)**

If the applicant donates land and seeks density bonuses, the land must be transferred to the LA County Community Development Commission no later than the date of approval of the final subdivision map, parcel map, or residential development application. The transferred land and affordable units shall be subject to a deed restriction ensuring continued affordability of the units, which shall be recorded on the property at the time of dedication. **Gov. Code 65915 (h)(1)(4)**

If **denied**, staff provides the applicant with the following findings, based on substantial evidence:

- *Incentive/concession or waiver/modification of development standard:* That the incentive/concession or waiver/modification of development standard is not required in order to provide for affordable housing costs or for rents for the affordable units, or that the incentive/concession would have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households. **Gov. Code 65915 (d)(1)(A)(B)**
- *Additional child care facility density bonus or incentive/concession:* Staff provides written findings, based on substantial evidence, that the community has adequate child care facilities. Staff must also provide written findings, based on substantial evidence, that the additional incentive/concession does not contribute to the economic feasibility of the construction of the child care facility, or that the incentive/concession would have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households. **Gov. Code 65915 (d)(1)(B) & (i)(1)(B)(3)**

CONDITIONS FOR APPROVAL

The following are conditions for approval for density bonuses and incentives/concessions, and if applicable, will be included in a covenant and agreement between the property owner/applicant and the Los Angeles County Department of Regional Planning:

- Low income density bonus units (Very Low and Lower Income) are to remain affordable for 30 years or a longer period of time if required by a construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program. **Gov. Code 65915 (c)(1)**
- The initial occupants of affordable for-sale units must be verified as being of moderate income. Upon resale, the project requires equity-sharing with the County. **Gov. Code 65915 (c)(2)**
- A child care facility must remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable. **Gov. Code 65915 (i)(2)(A)**
- The percentage of children of very low, lower and moderate income households that attend the child care facility shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low, lower and moderate

income households. *Gov. Code 65915 (i)(2)(B)*

- Donated land will be transferred to the Los Angeles County Community Development Commission and deed-restricted for affordable housing, and must meet all conditions (see *Form B: Land Donations*) before the final approval of the final subdivision map, parcel map or proposed residential development. *Gov. Code 65915 (h)(1)(3)(4)(5)*

ENVIRONMENTAL REVIEW

A project may qualify for a categorical exemption under State CEQA guidelines Section 15332 (Infill Development Projects) if it meets the criteria set out in that section and is not subject to any of the exceptions established under Section 15300.2. Public Resources Code Section 21159.21, 21159.22, 21159.23 and 21159.24 provide qualified, statutory exemptions for specified housing projects. These exemptions would not apply if there is a "reasonable possibility that the project will have a project-specific, significant effect on the environment due to usual circumstances."

DEFINITIONS

"Child Care Facility" means a child day care facility other than a family day care home, including, but not limited to, infant centers, preschools, extended day care facilities, and school age childcare centers. *Gov. Code 65915 (i)(2)(4)*

"Density Bonus" means a density increase of at least 20 percent, unless a lesser percentage is elected by the applicant, over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan as of the date of application by the applicant to the County. *Gov. Code 65915 (g)(1)*

The density bonus shall be permitted in geographic areas of the housing development other than the areas where the units for the lower income households are located. *Gov. Code 65915 (j)*

For the purpose of calculating the density bonus, the residential units do not have to be based upon individual subdivision maps or parcels. *Gov. Code 65915 (j)*

"Development Standards" includes site or construction conditions that apply to a residential development pursuant to any ordinance, general plan element, specific plan, charter amendment, or other local condition, law, policy, resolution, or regulation. *Gov. Code 65915 (o)(1)*

"Housing Development" means one or more groups of projects for residential units constructed in the planned development of the County. A housing development also includes a subdivision or a planned unit development or condominium project approved by the County and consists of residential units or unimproved residential lots, and either a project to substantially rehabilitate and convert an existing commercial building to residential use or the substantial rehabilitation of an existing multifamily dwelling where the result of the rehabilitation would be a net increase in available units. *Gov. Code 65915 (j)*

"Incentives/Concessions" means any of the following: *Gov. Code 65915 (l)(1)(2)(3)*

- A reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable, financially sufficient, and actual cost reductions.
- Approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.
- Other regulatory incentives or concessions proposed by the developer or the County that result in identifiable, financially sufficient, and actual cost reductions.

"Senior Housing Development" means a residential development developed, substantially rehabilitated, or substantially renovated for, senior citizens that has at least 35 dwelling units. *Civil Code 51.3 & 51.12*

TABLE A

**Density Bonuses and Incentives/Concessions for
Very Low Income Housing Set-Asides**

Housing Set-Aside	Density Bonus	Incentives/Concessions
Very Low 50% AMI	(+2.5%)	1-3
5%(min.)	20%	1
6%	22.50%	1
7%	25%	1
8%	27.50%	1
9%	30%	1
10%	32.50%	2
11%	35%	2
12%	35%	2
13%	35%	2
14%	35%	2
15%	35%	3
16%	35%	3
17%	35%	3
18%	35%	3
19%	35%	3
20%	35%	3
...	35%	3

TABLE B

**Density Bonuses and Incentives/Concessions for
Lower Income Housing Set-Asides**

Housing Set-Aside	Density Bonus	Incentives/Concessions
Lower 80% AMI	(+1.5%)	1-3
10%(min.)	20%	1
11%	21. 5%	1
12%	23%	1
13%	24. 5%	1
14%	26%	1
15%	27 .5%	1
16%	29%	1
17%	30. 5%	1
18%	32%	1
19%	33. 5%	1
20%	35%	2
21%	35%	2
22%	35%	2
23%	35%	2
24%	35%	2
25%	35%	2
26%	35%	2
27%	35%	2
28%	35%	2
29%	35%	2
30%	35%	3
...	35%	3

TABLE C

**Density Bonuses and Incentives/Concessions for
Moderate Income Housing Set-Asides**

Housing Set-Aside	Density Bonus	Incentives/Concessions
Moderate 120% AMI	(+1%)	1-3
10%(min.)	5%	1
11%	6.00%	1
12%	7%	1
13%	8.00%	1
14%	9%	1
15%	10.00%	1
16%	11%	1
17%	12%	1
18%	13%	1
19%	14%	1
20%	15%	2
21%	16%	2
22%	17%	2
23%	18%	2
24%	19%	2
25%	20%	2
26%	21%	2
27%	22%	2
28%	23%	2
29%	24%	2
30%	25%	3
31%	26%	3
32%	27%	3
33%	28%	3
34%	29%	3
35%	30%	3
36%	31%	3
37%	32%	3
38%	33%	3
39%	34%	3
40%	35%	3
...	35%	3

TABLE D

Density Bonuses for Land Donations

Land Donation	Density Bonus
Very Low 50% AMI	(+1%)
10%(min.)	15%
11%	16.00%
12%	17%
13%	18.00%
14%	19%
15%	20.00%
16%	21%
17%	22%
18%	23%
19%	24%
20%	25%
21%	26%
22%	27%
23%	28%
24%	29%
25%	30%
26%	31%
27%	32%
28%	33%
29%	34%
30%	35%
...	35%

*Land donation density bonuses can be combined with density bonuses for affordable housing set-asides, up to a maximum combined total of 35%.

FORM A: AFFORDABLE HOUSING SET-ASIDES



AFFORDABLE HOUSING DENSITY BONUS APPLICATION SUPPLEMENT

Applicant Name: _____

Case No.: _____ Date: _____

Maximum allowable density: _____ DU/Net Acre

Total area of project: _____ Net Acres

Total number of units proposed (w/out density bonus): _____

Must be 5 or more units to qualify for a density bonus. Gov. Code 65915 (g)(1) & (2)

HOUSING SET-ASIDE CALCULATION Refer to Los Angeles County's Income Limits/Costs:

http://planning.co.la.ca.us/drp_Housing_Income2005.pdf

For very low-income households: _____ % _____ units

Must be at least 5%, for a minimum density bonus of 20%--up to 35%. Gov. Code 65915 (g)(1) & (b)(2)

Very-low income households are defined at 50% AMI or less. Health and Safety Code 50105

For lower income households: _____ % _____ units

Must be at least 10%, for a minimum density bonus of 20%--up to 35%. Gov. Code 65915 (g)(1) & (b)(1)

Lower income households are defined at 80% AMI or less. Health and Safety Code 50079.5

For moderate-income households: _____ % _____ units

Must be at least 10%, for a minimum density bonus of 5%--up to 35%. Gov. Code 65915 (g)(1) & (b)(1)

Must be a condominium or planned development. Gov. Code 65915 (a)(4), Civil Code 1351 (f) & (k)

Moderate income households are defined at 120% AMI or less. Health and Safety Code 50093

Senior Housing Development: N/A % _____ units

Must fit the definition of a "senior housing development." Gov. Code 65915 (a)(3), Civil Code 51.12 & 51.3

Qualifies for a flat 20% density bonus. Gov. Code 65915 (b)(3)

Total affordable units: _____

DENSITY BONUS CALCULATION

A project that includes a child care facility also qualifies for an additional density bonus (OR an additional incentive/concession) in the amount equal to or greater than the square footage of the child care facility. Gov. Code 65915 (i)(1)(A)(B)

Child care facility (if applicable): _____ sq. ft. Gov. Code 65915 (i)(1)(A)

Density Bonus: _____ % _____ units

Refer to 'Special Instructions' Tables A-C to determine the entitled density bonus. Gov. Code 65915 (g)(1)(2) and (h)

Applicant may request a lesser density bonus. Gov. Code 65915 (g)(1)

All density calculations resulting in fractional units shall be rounded up to the next whole number.

Gov. Code 65915 (g)(1)(2) and (h)

Total number of units proposed (w/density bonus): _____

FORM A: AFFORDABLE HOUSING SET-ASIDES

INCENTIVES OR CONCESSIONS Refer to 'Special Instructions' for a list of suggested incentives/concessions.

Projects qualify for 1-3 incentives/concessions, depending on the affordable housing set-aside and income-level served. Please refer to the tables below. Gov. Code 65915 (d)(2)(A)(B)(C)

If the project includes a child care facility, it qualifies for an additional incentive/concession (OR an additional density bonus) that contributes to the economic feasibility of the construction of the child care facility. Gov. Code 65915 (i)(1)(A)(B)

Total number of incentives or concessions requested: _____

Incentive/Concession #1:

___Yes ___No Is the requested incentive/concession required in order to provide for affordable housing costs or for rents for the targeted units? Gov. Code 65915 (d)(1)(A)

___Yes ___No Would the requested incentive/concession have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households? Gov. Code 65915 (d)(1)(B)

Incentive/Concession #2:

___Yes ___No Is the requested incentive/concession required in order to provide for affordable housing costs or for rents for the targeted units? Gov. Code 65915 (d)(1)(A)

___Yes ___No Would the requested incentive/concession have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households? Gov. Code 65915 (d)(1)(B)

Incentive/Concession #3:

___Yes ___No Is the requested incentive/concession required in order to provide for affordable housing costs or for rents for the targeted units? Gov. Code 65915 (d)(1)(A)

___Yes ___No Would the requested incentive/concession have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households? Gov. Code 65915 (d)(1)(B)

Incentive/Concession for a child care facility (if applicable):

___Yes ___No Would the requested incentive/concession have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households? *Gov. Code 65915 (d)(1)(B)*

List additional waivers/modifications of development standards, if any, and explain in detail how each waiver/modification contributes to the financial feasibility of providing affordable units. Would the requested waiver/modification have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households? (Attach supportive financial documents, and additional pages as needed.) **Gov. Code 65915 (e) & (f)**

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FORM B: LAND DONATIONS



AFFORDABLE HOUSING DENSITY BONUS APPLICATION SUPPLEMENT

Applicant Name: _____

Case No.: _____ Date: _____

Maximum allowable density: _____ DU/Net Acre

Total area of project: _____ Net Acres

Total number of units proposed (w/out density bonus): _____

LAND DONATION CONDITIONS

Please answer the following questions. If you answer "NO" to any of the questions, your land donation does not qualify for the minimum 15% density bonus. Gov. Code 65915 (h)(1)(2)(3)(4)(5)(6)

___ Yes ___ No Is the transferred land at least an acre in size, or of sufficient size to permit development of at least 40 units? Gov. Code 65915 (h)(3)

___ Yes ___ No Does or will the transferred land have the appropriate general plan designation, be zoned for affordable housing, and be served by adequate public facilities and infrastructure? Gov. Code 65915 (h)(3)

___ Yes ___ No Does or will the transferred land have the appropriate zoning and development standards to make the development of the affordable units feasible? Gov. Code 65915 (h)(3)

___ Yes ___ No Will the transferred land have all the permits and approvals, other than building permits, necessary for the development of very low income housing units no later than the date of approval of the final subdivision map, parcel map, or of the residential development? Gov. Code 65915 (h)(3)

___ Yes ___ No Is the transferred land within the boundary or ¼ mile of the proposed development? Gov. Code 65915 (h)(6)

___ Yes ___ No Is the transferred land within the same jurisdiction as the proposed development? Gov. Code 65915 (a)

AFFORDABLE UNIT CALCULATION Refer to Los Angeles County's Income Limits/Costs:
http://planning.co.la.ca.us/drp_Housing_Income2005.pdf

-Land Donation Set-Aside:

For very low-income households: _____ % _____ units

*Must be at least 10%, for a minimum density bonus of 15%--up to 35%. Gov. Code 65915 (h)
Very-low income households are defined at 50% AMI or less. Health and Safety Code 50105*

-Housing Set-Aside: *Only applicable if the proposed housing development includes affordable housing set-asides. A combined land donation and affordable housing set-aside density bonus cannot exceed 35%. Gov. Code 65915 (h)*

Proposed housing developments must be 5 or more units in order to qualify for a density bonus. Gov. Code 65915 (g)(1) & (2)

FORM B: LAND DONATIONS

For very low-income households: _____ % _____ units

Must be at least 5%, for a minimum density bonus of 20%--up to 35%. Gov. Code 65915 (a)(2)

Very-low income households are defined at 50% AMI or less. Health and Safety Code 50105

For lower income households: _____ % _____ units

Must be at least 10%, for a minimum density bonus of 20%--up to 35%. Gov. Code 65915 (a)(1)

Lower income households are defined at 80% AMI or less. Health and Safety Code 50079.5

For moderate-income households: _____ % _____ units

Must be at least 10%, for a minimum density bonus of 5%--up to 35%. Gov. Code 65915 (a)(4)

Must be a condominium or planned development. Civil Code 1351 (f) & (k), Gov. Code 65915 (a)(4)

Moderate income households are defined at 120% AMI or less. Health and Safety Code 50093

Senior Housing Development: N/A % _____ units

Must fit the definition of a "senior housing development." Gov. Code 65915 (a)(3) & Civil Code 51.12 & 51.3

Qualifies for a flat 20% density bonus. Gov. Code 65915 (a)(3)

Total affordable units (land set-aside + housing set-aside): _____

DENSITY BONUS CALCULATION

Land donations qualify for a minimum density bonus of 15%, up to 35%. The project qualifies for additional density bonuses if it includes affordable housing set-asides; however the combined density bonus cannot exceed 35%. Gov. Code 65915 (h)

If the project includes a child care facility, it qualifies for an additional density bonus (OR an additional incentive/concession) in the amount equal to or greater than the square footage of the child care facility. Gov. Code 65915 (i)(1)(A)(B)

Child care facility (if applicable): _____ sq. ft. Gov. Code 65915 (i)(1)(A)

Density Bonus: _____ % _____ units

Refer to 'Special Instructions' Tables A-D to determine the entitled density bonus. Gov. Code 65915 (g)(1)(2) & (h)

Applicant may request a lesser density bonus Gov. Code 65915 (g)(1)

All density calculations resulting in fractional units shall be rounded up to the next whole number. Gov. Code 65915 (g)(1)(2) & (h)

Total number of units proposed (w/density bonus): _____

INCENTIVES OR CONCESSIONS *Refer to 'Special Instructions' for a list of suggested incentives/concessions. Only applicable if the proposed project includes affordable housing set-asides. Gov. Code 65915 (d)(2)(A)(B)(C)*

Projects qualify for 1-3 incentives/concessions, depending on the affordable housing set-aside and income-level served. Please refer to the following tables below. Gov. Code 65915 (d)(2)(A)(B)(C)

If the project includes a child care facility, it qualifies for an additional incentive/concession (OR an additional density bonus) that contributes to the economic feasibility of the construction of the child care facility. Gov. Code 65915 (i)(1)(A)(B)

Total number of incentives or concessions requested: _____

FORM B: LAND DONATIONS

Incentive/Concession #1:

☐ Yes ☐ No Is the requested incentive/concession required in order to provide for affordable housing costs or for rents for the targeted units? *Gov. Code 65915 (d)(1)(A)*

☐ Yes ☐ No Would the requested incentive/concession have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households? *Gov. Code 65915 (d)(1)(B)*

Incentive/Concession #2:

☐ Yes ☐ No Is the requested incentive/concession required in order to provide for affordable housing costs or for rents for the targeted units? *Gov. Code 65915 (d)(1)(A)*

☐ Yes ☐ No Would the requested incentive/concession have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households? *Gov. Code 65915 (d)(1)(B)*

Incentive/Concession #3:

☐ Yes ☐ No Is the requested incentive/concession required in order to provide for affordable housing costs or for rents for the targeted units? *Gov. Code 65915 (d)(1)(A)*

☐ Yes ☐ No Would the requested incentive/concession have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households? *Gov. Code 65915 (d)(1)(B)*

Incentive/Concession for child care facility (if applicable):

☐ Yes ☐ No Is there a need for a child care facility in the community? *Gov. Code 65915 (i)(3)*

☐ Yes ☐ No Does the additional requested incentive/concession significantly contribute to the economic feasibility of the construction of the child care facility? *Gov. Code 65915 (i)(1)(B)*

☐ Yes ☐ No Would the requested incentive/concession have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households? *Gov. Code 65915 (d)(1)(B)*

FORM B: LAND DONATIONS

ADDITIONAL WAIVERS/MODIFICATIONS OF DEVELOPMENT STANDARDS

List additional waivers/modifications of development standards, if any, and explain in detail how each waiver/modification contributes to the financial feasibility of providing affordable units. Would the requested waiver/modification have a specific adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is a feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households? (Attach supportive financial documents, and any additional pages.) **Gov. Code 65915 (e) & (f)**

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